

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CEDRIC M. WRIGHT,
Plaintiff,
vs.
FRANCIS SLAY,
Defendants.

Cause No. 12-CV-107-AGF

DEPOSITION OF CORPORATE DESIGNEE LAVERTA BARNES
Taken on behalf of the Plaintiff
July 30, 2013

Reported by Victoria Menaugh Fauser
CCR No. 903
CSR Missouri and Illinois

MENAUGH FAUSER REPORTING
416 SOUTH WOODLAWN AVENUE
KIRKWOOD, MISSOURI 63122
OFFICE: (314) 965-7162
FAX: (314) 909-6631

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DEPOSITION of LAVERTA BARNES, produced, sworn, and examined on behalf of the Plaintiff on July 30, 2013, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of that day at the Office of the St. Louis City Counselor, 314 City Hall, in the City of St. Louis, State of Missouri, before VICTORIA MENAUGH FAUSER, Certified Court Reporter in Missouri and Illinois and a Missouri Notary Public.

APPEARANCES OF COUNSEL:**FOR THE PLAINTIFF:**

James O. Hacking, III
Hacking Law Practice, LLC
34 North Gore - Suite 101
St. Louis, Missouri 63119
(314) 961-8200

FOR THE DEFENDANT ST. LOUIS CITY:

Daniel J. Emerson
St. Louis City Counselor
314 City Hall
St. Louis, Missouri 63103

FOR THE DEFENDANT SLMPD:

Karin A. Schute
Attorney General of Missouri
P.O. Box 861
St. Louis, Missouri 63188

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1 provided to us was December 30th, 2011 through January 9,
 2 2012. Do you know where you obtained that information?
 3 A Are we on Page 3?
 4 Q Page 2, Question No. 3.
 5 MR. EMERSON: Right here.
 6 Q (By Mr. Hacking) Corey Leonard is I'll represent
 7 to you the person that Mr. Wright's identity was sort of
 8 mixed up with.
 9 A Okay.
 10 Q So we asked about whether Mr. Leonard had been in
 11 the Division of Corrections and the answer was December 30th,
 12 2011 through January 9, 2012.
 13 A Okay.
 14 Q Do you know how you obtained that information?
 15 A It would be from our Jail Management System, IJMS.
 16 Q IJMS, that's what you were talking about earlier?
 17 A Yes.
 18 Q And it says that Mr. Leonard was being held in the
 19 Division of Corrections pursuant to a Capias warrant on a
 20 criminal case in the 22nd Judicial Circuit and the case
 21 number is given; is that right?
 22 A Correct.
 23 Q What's a Capias warrant?
 24 A Failing to appear.
 25 Q And the 22nd Judicial Circuit is the city court?

1 A Yes.
 2 Q All right. And then Question No. 4 asks about
 3 whether my client Cedric Wright has ever been in the custody
 4 of the Division of Corrections. And it says that Cedric
 5 Wright was in the custody of the City Correctional System
 6 from August 20th, 2011 through October 20th, 2011?
 7 A Yes.
 8 Q Is that true that Cedric Wright was in the custody
 9 of the City Correctional System from August 20, 2011 through
 10 October 20, 2011?
 11 A That would be what his IJMS record would reflect.
 12 Q So according to your records Mr. Wright was in the
 13 custody of the Division of Corrections for those two months?
 14 A Correct.
 15 Q And it says that he was being held pursuant to a
 16 Capias warrant on criminal cases in the 22nd Judicial Circuit
 17 under Case No. 0922-CR00381, 0922-CR02343 and 082-CR05202; is
 18 that right?
 19 A Yes.
 20 Q As far as Case No. 0922-CR00381, that's the same
 21 case number that Corey Leonard was being held from
 22 December 30th, 2011 through January 9, 2012; is that right?
 23 A That is correct.
 24 Q In Interrogatory No. 5 we asked about whether the
 25 Division of Corrections ever transferred custody of Plaintiff

1 to or from the SLMPD between August 20th, 2011 and
 2 October 20th 2011. And according to this answer that you
 3 provided Mr. Wright was transferred to the custody of
 4 Corrections from the SLMPD on August 21st, 2011; is that
 5 right?
 6 A Yes.
 7 Q How would you have ascertained that information?
 8 A From our Jail Management System.
 9 Q So just to be clear, Mr. Wright was transferred
 10 from the SLMPD to the Division of Corrections on August 21st,
 11 2011?
 12 A Correct.
 13 Q And then Corrections transferred custody of Mr.
 14 Wright to the Sheriff's Department on August 22nd, 2011 for a
 15 court appearance; is that right?
 16 A Correct.
 17 Q And then the Sheriff's Department returned
 18 Mr. Wright to the Division of Corrections' custody later in
 19 the day on August 22nd, 2011?
 20 A Correct.
 21 Q And then Corrections transferred custody of
 22 Mr. Wright to the Sheriff's Department on October 20, 2011
 23 for a court appearance; is that right?
 24 A Correct.
 25 Q This says that Mr. Wright was returned to

1 Corrections' custody that same day on the 20th --
 2 A Right.
 3 Q -- of October? Correct?
 4 A Correct.
 5 Q And then you provided his IJMS Long Profile to sort
 6 of support those statements of fact?
 7 A Right.
 8 Q All right. The Division of Corrections operates
 9 two main facilities; is that right? The St. Louis City
 10 Justice Center located at 200 South Tucker in Downtown St.
 11 Louis and the Medium Security Institution on Hall Street; is
 12 that right?
 13 A Correct.
 14 Q And the Division of Corrections is responsible for
 15 maintaining custody of people who are either pending trial or
 16 have been sentenced to a sentence of one day to one year?
 17 A Correct.
 18 Q What is your understanding, Miss Barnes, of what's
 19 supposed to happen at the Division of Corrections after it
 20 receives an order from a judge directing that someone be
 21 released?
 22 A When we receive an order from the judge directing
 23 that someone should be released, if the order is delivered to
 24 us by an attorney we check the court minutes to make sure
 25 that that is exactly what the -- the order reads exactly with